

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2015-125608-001 DT

02/17/2016

HON. PAMELA GATES

CLERK OF THE COURT

A. Olson

Deputy

STATE OF ARIZONA

GEOFFREY BALON

v.

JUAN CARLOS MEDINA (001)

DOB: 01/27/1994

NATHANIEL J WALTERS

APO-SENTENCINGS-CCC

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

RFR

SENTENCE - IMPRISONMENT AND PROBATION

9:45 a.m.

Courtroom SCT 5B

State's Attorney: Geoffrey Balon

Defendant's Attorney: Nathaniel Walters

Defendant: Present

Court Reporter, Treva Colwell, is present.

A record of the proceeding is also made by audio and/or videotape.

Count(s) 1 and 3: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1 (As Amended) Aggravated Assault  
Class 3 Felony  
A.R.S. § 13-1203, 1204, 3105, 901.03, 701, 702, and 801  
Date of Offense: 06/03/2015  
Non Dangerous - Non Repetitive

OFFENSE: Count 3 (As Amended) Unlawful Discharge of Firearm  
Class 6 Felony  
A.R.S. § 13-3101, 3105, 3107, 901.03, 701, 702, and 801  
Date of Offense: 06/03/2015  
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 2.25 year(s) from 02/17/2016  
Presentence Incarceration Credit: 48 day(s)

Less Than Minimum

Community Supervision: Count 1 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in Count 3.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Upon physical release from prison pursuant to A.R.S. §13-603(K). Count 3: For a period of 3 years.

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of

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the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 3: \$65.00 per month.

PROBATION ASSESSMENT: Count 3: \$20.00.

Payment to commence on a date to be determined and is due on the same day of each month thereafter until paid in full.

The Court will retain jurisdiction over restitution. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives his/her presence.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail [cforeponse@mail.maricopa.gov](mailto:cforeponse@mail.maricopa.gov). The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Condition 22: Other: Defendant shall not return to the scene of the crime. Defendant shall participate in substance abuse counseling, treatment, and testing.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

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1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Count 2 and Maricopa County Attorney's Office agrees not to allege dangerous.

Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 3: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

IT IS FURTHER ORDERED that Defendant shall forfeit any and all interest in weapons or weapons accessories mentioned in Phoenix Police Department departmental report #201501054049 and 201501054126.

10:04 a.m. Matter concludes.

IT IS ORDERED that Defense counsel shall preserve Defendant's file for post-conviction relief purposes. If Defense counsel receives notice that Defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, Defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. PAMELA GATES  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)